

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

JACQUES GAUTIER

v.

STATE OF RHODE ISLAND, et al.

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C.A. No. 06-99S

**MEMORANDUM AND ORDER**

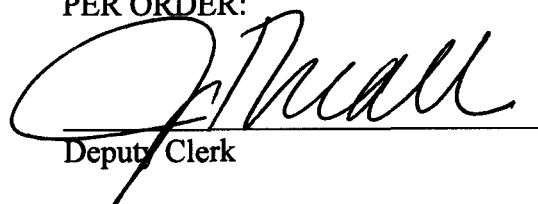
In this matter, Plaintiff, Jacques Gautier (“Gautier”) seeks to appeal this Court’s denial of his Motion to Appoint Counsel. (Document No. 11). Gautier filed a Notice of Appeal (Document No. 13) in this Court, and seeks leave to proceed *in forma pauperis* (“IFP”) in the First Circuit Court of Appeals. Pursuant to Fed. R. App. P. 24(a)(1), the Court of Appeals transmitted his request to proceed IFP to this Court, and his request has been referred to me for determination. 28 U.S.C. § 636(b)(1)(A); LR CV 72(a).

In order to determine if Plaintiff is eligible for IFP status under 28 U.S.C. § 1915, Plaintiff must file a properly completed Application To Proceed Without Prepayment of Fees and Affidavit. The Application contains a “Notice to Prisoner” portion which directs an incarcerated applicant to obtain a statement certified by an “appropriate institutional officer” of “all receipts, expenditures, and balances during the last six months in your institutional accounts.” Although Plaintiff submitted an IFP Application to the First Circuit Court of Appeals, that Application was incomplete. The Plaintiff’s Inmate Account History was dated March 23, 2006 and it was not certified by an appropriate prison official. In order to allow this Court to determine his IFP eligibility, Plaintiff must submit a current, certified copy of his inmate account statement for the last six months.

Gautier's appeal cannot proceed until this Court rules on his IFP Application. Accordingly, Gautier is ordered to file a certified copy of his inmate account which lists "all receipts, expenditures, and balances during the last six months" by **May 31, 2006**.


So ordered.

PER ORDER:



Deputy Clerk

ENTER:



Lincoln D. Almond  
United States Magistrate Judge  
May 17, 2006